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7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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11 UNITED STATES OF AMERICA,  
12 Plaintiff,

13 v.  
14

15 ANGELO CIBRIAN,  
16 Defendant.  
17

Case No. 3-13-MJ-70691-MAG

**ORDER DETAINING DEFENDANT**

18 Defendant Angelo Cibrian is charged in a one count complaint with being a felon in  
19 possession of a firearm, in violation of Title 18, United States Code, Section 922(g). The  
20 United States moved for Defendant's detention pursuant to 18 U.S.C. § 3142, and asked for a  
21 detention hearing, as permitted by 18 U.S.C. § 3142(f). On July 3, 2013, following a hearing  
22 pursuant to 18 U.S.C. § 3142(f), and considering the Pretrial Services report, the criminal  
23 complaint filed in this case, and the factors set forth in 18 U.S.C. § 3142(g), the Court ordered  
24 Defendant detained, as no condition or combination of conditions in 18 U.S.C. § 3142(c) will  
25 reasonably assure the appearance of defendant as required and the safety of any other person  
26 and the community. *See* 18 U.S.C. §§ 3142(e) and (f); *United States v. Motamedi*, 767 F.2d  
27 1403, 1406 (9th Cir. 1985).  
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1 After hearing argument from both counsel for Defendant and counsel for the  
2 Government, the Court granted the Government's motion to detain. Specifically, the Court  
3 noted that the pretrial services report stated that Defendant had previously violated his parole  
4 numerous times since September 2010. The Court also noted Defendant's history with drug  
5 use and drug related offenses despite past treatment efforts, his lack of employment, the short  
6 period of time he had lived at the residence he proposed to reside post-release, and the lack of  
7 any sureties.

8 **ORDER**

9 Defendant is ordered detained as no condition or combination of conditions in 18  
10 U.S.C. § 3142(c) will reasonably assure the appearance of defendant as required and the  
11 safety of any other person and the community.

12 Defendant is committed to the custody of the Attorney General or a designated  
13 representative for confinement in a corrections facility separate, to the extent practicable, from  
14 persons awaiting or serving sentences or held in custody pending appeal. *See* 18 U.S.C. §  
15 3142(i)(2). Defendant must be afforded a reasonable opportunity to consult privately with  
16 counsel. *See* 18 U.S.C. § 3142(i)(3). On order of a court of the United States or on request of  
17 an attorney for the government, the person in charge of the corrections facility must deliver  
18 defendant to the United States Marshal for a court appearance. *See* 18 U.S.C. § 3142(i)(4).

19 **IT IS SO ORDERED.**

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21 Dated: July 5, 2013

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23 JACQUELINE SCOTT CORLEY  
24 UNITED STATES MAGISTRATE JUDGE  
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